

Message

From: McKenna, Elizabeth [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=859179A8CB0547BC974DC0241E973D37-MCKENNA, ELIZABETH]
Sent: 5/6/2019 9:27:43 PM
To: Grandinetti, Cami [Grandinetti.Cami@epa.gov]; McGrath, Patricia [mcgrath.patricia@epa.gov]
CC: Moreen, Ed [Moreen.Ed@epa.gov]
Subject: RE: question about Stibnite
Attachments: Midas Gold - Draft VCO - AOC 04.30.19.docx

Hi Cami. Midas is not going to start mining construction. They are in the NEPA process right now and do not have a final EIS or permits to begin mining. Midas is proposing to do investigatory work under CERCLA and the Idaho VCP program to determine the source/s of the high arsenic levels in groundwater at the Site. They would like to start this work in early June(!). They have proposed a BFPP agreement. We do not have the necessary information to support Midas' claim that it is a BFPP and there are certain criteria that I suspect Midas has not fulfilled to qualify as a BFPP. As a result, Susan Bodine suggested that, if the Region agrees that the work they are proposing should be done, EPA R10 could negotiate a model cleanup agreement – not a BFPP agreement. I am cc'ing Ed because Sheryl said she was going to ask Ed to work on the project with me.

I have attached Midas' proposed agreement to conduct the work. It currently has IDEQ and EPA as signatories, is drafted as a BFPP agreement, **Ex. 5 AC/DP** and does not resemble our model AOC's. I told Midas in the meeting with Susan Bodine that the first step would need to be a discussion among our technical teams to understand what work they are proposing and if EPA would agree with the work as proposed. There is a lot left to talk about on the legal side as well. My intent, if it looks like we would support the work being performed, would be to send back a draft agreement that we craft. I would need to coordinate with IDEQ's AG as well.

There is a lot of background that I am happy to share with you. Please let me know if you would like to talk.

- Elizabeth

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Cell: **Ex. 6 Personal Privacy (PP)**

From: Grandinetti, Cami
Sent: Monday, May 06, 2019 10:43 AM
To: McGrath, Patricia <mcgrath.patricia@epa.gov>; McKenna, Elizabeth <Mckenna.Elizabeth@epa.gov>
Subject: question about Stibnite

Hi Patty and Elizabeth—Sheryl let me know that the Stibnite/Midas Gold meeting on Friday included discussion about the desire to begin mining construction work this summer. To that end, Sheryl said we should have someone look at what they plan to do and see if we have any issues. I'm reaching out to you both because I want to understand what we're talking about. I did hear that Susan Bodine suggested they need to sign our model AOC—do you know what that might mean? Sheryl has asked me to assign someone to this project so I'm just wondering what our role is going to be. Any info you guys have would be helpful!

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Ex. 6 Personal Privacy (PP)

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